

ENTERED

October 09, 2024

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION****IN RE:****Professional Fee Matters Concerning the
Jackson Walker Law Firm**§
§
§
§**CASE NO: 23-645****ORDER***Regarding ECF No. 363*

On October 8, 2024, this Court held a hearing regarding “United States Trustee’s Notice of Subpoena to Elizabeth Miller”¹ filed by Kevin M. Epstein, the United States Trustee for the Southern District of Texas (“*US Trustee*”), on September 26, 2024. Pursuant to the *U.S. Courts Guide to Judiciary Policy*, Volume 20, Chapter 8, (the “*Judiciary Regulations*”) the US Trustee seeks to take the deposition of Elizabeth Miller, former Judicial Assistant to former United States Bankruptcy Judge David R. Jones.² Two deposition topics propounded by the US Trustee fall squarely under the Judiciary Regulations.

Pursuant to § 840 of the Judiciary Regulations, the determining officer authorized to make determinations under the Judiciary Regulations “in the case of a request directed to a former . . . member of a former judge’s personal staff who is no longer a court employee” is the chief judge of the court on which the former judge previously served (the “*Determining Officer*”).³ The undersigned is therefore the Determining Officer.⁴

Pursuant to § 850 of the Judiciary Regulations, the Court as Determining Officer may impose conditions upon the requested testimony and production of records that fall under the regulations.⁵ While the Court agrees that some of the topics may be appropriate, there may be limitations that must be imposed on specific questions as they are asked to protect privileges. Accordingly, the Court finds that the deposition of Elizabeth Miller should be court supervised so the Court as Determining Officer may further scrutinize specific questions that fall under the purview of the Judiciary Regulations. The deposition may proceed as scheduled, in the format selected. The Court must be provided a zoom link through a notice filed under seal with the Clerk of Court. Accordingly, it is therefore:

ORDERED: that

1. Ms. Elizabeth Miller must appear in person at a deposition in this proceeding on Tuesday, October 15, 2024, at 2:30 p.m. central standard time, United States Bankruptcy Court, Courtroom No. 8B, 515 Rusk Ave. Houston Texas.

¹ ECF No. 363.

² *Id.*


³ *U.S. Courts Guide to Judiciary Policy*, Vol. 20, Ch. 8, § 840(b)(1).

⁴ *Id.*

⁵

2. No later than October 9, 2024, the United States Trustee must serve a copy of this Order on Ms. Elizabeth Miller and all parties entitled to notice of the hearing and file a certificate of service with the Clerk's office.

SIGNED October 9, 2024



Eduardo V. Rodriguez
Chief United States Bankruptcy Judge